

## **SUBDIVISION MEETING**

### **January 30, 2003**

Chair Anita L. Varone called the meeting to order at 9:00 a.m.

Commissioners Mike Murray and Ed Tinsley were present. Others attending all or a portion of the meeting included Ron Alles, Sharon Haugen, Paul Spengler, Pat McKelvey, Frank Rives, Mike Noble, Dennis Lay, Dan McGowan, and Carole Byrnes.

Pledge of Allegiance. Everyone recited the pledge.

Cave Gulch Project Agreements and MOU. Paul Spengler reported the Project Agreement with the Natural Resources Conservation Service U.S. Department of Agriculture (NRCS) is to install emergency watershed protection measures to relieve flooding hazards and damages created by excessive runoff caused by the 2000 summer fires. Lewis and Clark County is the government entity to sponsor this agreement. This federal grant has a 75/25 percent match. The citizens at Cave Gulch have also signed an agreement with Lewis and Clark County agreeing to pay their 25 percent share of the match.

Dan McGowan stated the Project Agreement also states the residents not protest any kind of rural improvement district should it need to be formed. The Memorandum of Understanding ties together the six other agencies involved in this project. The total project amount for the construction phase is \$151,000.

Commissioner Murray moved to approve and authorize the chair to sign all three documents. Commissioner Tinsley seconded the motion and it carried unanimously.

Wildland Urban Interface Grant Agreement. Pat McKelvey reported on the agreement with the DNRC Forestry Division. The agreement will implement a fuels reduction and homeowner education program in urban interface areas within Jefferson, Lewis and Clark, and Broadwater Counties under the direction of the Tri-County Fire Working Group. The total grant amount is \$285,000 with no county match. The landowners provide the match requirement.

Commissioner Tinsley moved to approve the grant agreement and authorize the chair to sign. Commissioner Murray seconded the motion and it carried unanimously.

Proposed Hazard Mitigation Disaster Project Grant. Pat McKelvey recently learned of a federal grant in the amount of \$48,000 with a 25 percent match requirement for the Wolf Creek area project. DNRC has committed its crews to assist Lewis and Clark County. He will have the grant ready tomorrow for signature and submittal to DNRC.

Commissioner Murray moved the county submit the grant application and authorize the chair to sign. Commissioner Tinsley seconded the motion and it carried unanimously.

Resolution Ordering a Refund of Taxes and Assessments Paid. DOR representative, Mike Noble, recommends the commission refund \$24.54 to Elizabeth Standley for an incorrect assessment of land valuation. Commissioner Murray moved to grant the refund due to an erroneous assessment and authorize the chair to sign. Commissioner Tinsley seconded the motion and it carried unanimously.

Resolution Ordering a Refund of Taxes and Assessments Paid. DOR representative, Mike Noble, reported the Pederson Family Revocable Living Trust has requested a refund in the amount of \$5,864.25. Mr. Noble stated the Pederson family never owned the additional acres and the 10.463 assessed by DOR is correct. The Pederson family no longer owns this property. Commissioner Murray moved the commission deny the request for refund to the Pederson family based on the information provided by the Montana Department of Revenue. Commissioner Tinsley seconded the motion and it carried unanimously.

Resolution Ordering a Refund of Taxes and Assessments Paid. Sharon Haugen reported this is part of the continuing series of refunds to Applegate Rural Improvement District property owners. Staff recommends the commission refund Roger and Cheryl Hyndman in the amount of \$230.61. Commissioner Tinsley moved to grant a refund to the Hyndmans and authorize the chair to sign. Commissioner Murray seconded the motion and it carried unanimously.

Proposed Subdivision, Summary Review to be Known as Opp Minor Subdivision. (cont. from 1/28/03). The applicant, Vernon Opp, proposes to create four lots from an existing 9.28-acre tract, each for single-family residential use. The proposed subdivision is generally located approximately ½ mile north of Deal Road and west of and adjacent to York Road. Commissioner Murray moved to adopt staff's recommendation of denial. Commissioner Tinsley seconded the motion.

Commissioner Murray moved to adopt staff's memorandum dated January 29, 2003 of revised Findings and Conclusions. Commissioner Tinsley seconded the motion and it carried unanimously.

Amendments to Revised Findings and Conclusions.

Finding 2.s. Commissioner Murray moved to modify the language to read, "Students ~~will~~ would be bused at the general taxpayer's expense." Commissioner Tinsley seconded the motion and it carried unanimously.

The motion to deny the proposed subdivision as amended carried unanimously.

Final Plat Approval and Signature for the Heartland Major Subdivision. Michael McHugh reported that all of the conditions of approval have been met, including payments of \$2,600 payment to the East Valley Fire Department and a cash payment of \$1,934 for parkland dedication and all of the taxes have been paid. Staff recommends signature of the final plat. By consensus, the Commissioners agreed to sign the final plat after the meeting.

Resolution Declaring County Property Surplus Property. Ron Alles reported the ITS Department wishes to surplus various pieces of computer equipment. Staff recommends approval of the resolution. Commissioner Murray moved to approve the resolution and authorize the chair to sign. Commissioner Tinsley seconded the motion and it carried unanimously.

Request for Disposal of Records. Ron Alles reported the Treasurer/Clerk and Recorder has requested certain county records be disposed. Prior to disposal of these records, the Department of Administration, Montana State Archives and the Montana Secretary of State must approve the state form. Commissioner Murray moved to authorize the chair to sign the appropriate form to dispose of certain records. Commissioner Tinsley seconded the motion and it carried unanimously.

Request for a One-Year Extension of Preliminary Plat Approval for the Hoff Lot G3-2 Minor Subdivision. Frank Rives reported the applicant, Floyd Hoff, has requested an extension of preliminary plat approval to January 3, 2004 to complete degradation issues with the County Health Department and the Department of Environmental Quality. Staff will look into Commissioner Murray's concern regarding light pollution in this area prior to filing his final plat. Commissioner Murray moved to grant the one-year extension. Commissioner Tinsley seconded the motion and it carried unanimously.

"Cover the Uninsured Week" March 10-16, 2003. The Department of Health has requested the county participate in a proclamation for "Cover the Uninsured Week." Commissioner Tinsley moved the Commission sign the proclamation and authorize the chair to sign. Commissioner Murray seconded the motion and adding the county draft a separate proclamation and modify the title of the program to be more descriptive. The motion maker agreed and the motion carried unanimously.

There was no other business and the meeting adjourned at 10:15 a.m.